THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 19273 of 2007

Date:11-09-2007

Between:

Padigala Linga Reddy and 7 others ..
PETITIONER

AND

The Grampanchayat, Raikal and another
..
RESPONDENTS

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ORDER:

The petitioners seek a writ of mandamus to declare the action of the respondents in trying to demolish the petitioners' houses bearing Nos. 26/37, 23-98, 26-1, 26-39, 26-20, 23-68, 23-90,
3-73, 7-03 and 7-04 situated at Raikal village for road widening purpose, as illegal and arbitrary.

The case of the petitioners is that their houses are situated on either side of the road leading from Shivaji statue to Gandhi Chowk via Angadi Bazar in Raikal village, Karimnagar District and the width of the existing road is 22' x 30'. The Grampanchayat has passed a resolution, dated 23.12.2006 unanimously to widen the road to 40 feet and approved the master plan widening the road to 40 feet. It is stated that the petitioners have absolutely no objection to make the width of the road as 40 feet. Though it has been contended that the widening of the road is not necessary and there is a bypass road, the only objection of the petitioners is that without acquiring the land, without paying the compensation and without following the due procedure of law, their houses cannot be demolished and their property cannot be acquired.

Having regard to the facts and circumstances of the case, the respondents are directed not to demolish or dispossess the petitioners without following the due procedure of law.

Accordingly, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:11.09.2007
ccm